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In re Patent Application of:

HILL ET AL

Serial No. 10/761,409

Filing Date: JANUARY 22, 2004

Confirmation No. 3319

For: DOFED SEMICONDUCTOR NANOCRYSTAL LAYERS

Atty Docket No.: 78815 (135-1 US)

Art Unit: 2813

Examiner: 'TUAN NGUYEN

## VIA FACSIMILE NO. 571-273-6300

Mail Stop Amendment Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

March 17, 2006

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Under 37 CFR 1.321(d)

sir:

The owners, Group TV Semiconductor Inc., whose full post office address is 540 Brierwood Avenue, Ottawa, Ontario, Canada and McMaster University, whose full post office address is 1280 Main Street West, Hamilton, Ontario, Canada, of 100% interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of United States Patent Application No.

In re Patent Application of: HILL ET AL Serial No. 10/761,409 'Filed: JANUARY 22, 2004

10/761,275 entitled "Doped Semiconductor Nanocrystal Powder and Preparation Thereof", hereafter referred to as the disqualified application. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to In re Patent Application of: HILL ET AL Serial No. 10/761,409 Filed: JANUARY 22, 2004

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Respectfully submitted,

CHARLES E. WANDS Attorney of Record Reg. No. 25,649

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I HERRBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the COMMISSIONER FOR PATENTS, this 18 day of April 2006.

O. Kallomerus

## PATENT APPLICATION FEE DETERMINATION RECORD Effective December 8, 2004 CLAIMS AS FILED - PART I SMALL ENTITY OTHER THAIN (Column 1) (Column 2) TYPE \_\_\_\_ OR SMALL ENTITY TOTAL CLAIMS RATE FEE RATE FEE FOR NUMBER FILED NUMBER EXTRA BASIC FEE 150.00 OR BASIC FEE 300.00 TOTAL CHARGEABLE CLAIMS .ninus 20= X\$ 25= X\$50= OR INDEPENDENT CLAIMS minus 3 = X100= MULTIPLE DEPENDENT CLAIM PRESENT. X200= OR. +180= +360= If the difference in column 1 is less than zero, enter "0" in column 2 OR TOTAL TOTAL CLAIMS AS AMENDED - PART II OTHER THAN (Column 1) SMALLENTITY OR SMALLENTITY (Column 2) (Column 3) CLAIMS HIGHEST REMAINING ADDI-NUMBER PRESENT ADDI-४१०७ AFTER HATE PREVIOUSLY TIONAL **EXTRA** RATE TIONAL AMENOMENT PAID FOR FEE FEE Total Minus 6 X\$ 25= X\$50= OR Independent Minus FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM X100=X200= **DR +180=**. OR 360= LATOT. OR ADDIT, FEE ADDIT: FEE (Column 1) (Column 2) (Column 3) CLAIMS REMAINING ADD(-NUMBER PRESENT ADD(-AFTER PREVIOUSLY RATE TIONAL EXTRA AMENOMENT RATE TIONAL PAID FOR FEE FEE Total Minus X\$ 25= X\$50= OR Independent Minus X100= FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM X200= PO +180= +360= PO TOTAL TOTAL RO ADDIT, FEE ADDIT, FEE (Column 1) (Column 2): (Column 3) CLAIMS HIGHEST REMAINING ADDI-NUMBER PRESENT ADDI-AMENDMENT AFTER: PREVIOUSLY RATE TIONAL **EXTRA** RATE TIONAL AMENDMENT PAID FOR FEE FEE Total Minus X\$ 25= X\$50= OB Independent Minus FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM X100 =X200 =OR +180= +360= OR